GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Disciplinary proceedings against Sri B. Rajendra Prasad, formerly Record Assistant, II Additional District Court, Vijayawada, (later worked as Record Assistant in the court of II Metropolitan Magistrate for Railways, Vijayawada) retired from service on superannuation on 31.07.2009 – Subsequently expired on 06.09.2013 before conclusion of disciplinary proceedings – Disciplinary action - Abated - Orders- Issued.

HOME (COURTS-B) DEPARTMENT

G.O.Rt.No.562 Dated: 08-08-2016.

Read the following:

1) From the Registrar (Vigilance), High Court of A.P., Hyderabad, D.O.Lr.No.1534/2011-Vigilance Cell, dated:20.10.2011.
2) Govt.Memo.No.36105/Courts.D/D1/2011, dated:14.06.2012.
3) From Sri B. Rajendra Prasad, formerly Record Assistant, II Additional District Court, Vijayawada later worked as Record Assistant in the court of II Metropolitan Magistrate for Railways, Vijayawada. Reprn, dated.23.07.2012.
4) Govt.Lr.No. 36105/Courts.D/D1/2011, Dated: 06.09.2012.
5) From the Secretary, Andhra Pradesh Public Service Commission, Letter No.1853/RT/3/2012, dated 06.05.2013 with a copy of Commission's letter dated:09.10.2012.
6) Govt.Lr.No. 36105/Courts.D/D1/2011, Dated: 01.08.2013.
7) From the District Judge, Krishna, Letter Dis..No.7921, dated:26.11.2013.
8) From the Prl.District Judge, Krishna, Letter Dis.No.6630, dated:03.09.2015 with Reprn. dated.nil, of Smt.B.Indira Devi W/o B. Rajendra Prasad.
9) From the Prl.Secretary, Andhra Pradesh Public Service Commission, Hyderabad, D.O.Letter No.1853/RT/3/2012, dated 21.03.2016.
10) From the Asst. Secretary, Andhra Pradesh Public Service Commission, Letter No.1853/RT/3/2012, dated. 15.06.2016.
11) From Smt.B.Indira Devi W/o Late B. Rajendra Prasad, Reprn. dated.nil, received on 24.06.2016.

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ORDER :

Whereas, the Registrar (Vigilance), High Court of Andhra Pradesh, Hyderabad, in the letter 1st read above, has stated that a regular departmental enquiry was ordered under the provisions of Andhra Pradesh Civil Services (CC&A) Rules 1991 against Sri B. Rajendra Prasad, formerly Record Assistant, II Additional District Court, Vijayawada (later worked as Record Assistant in the court of II Metropolitan Magistrate for Railways, Vijayawada (Charged Officer-1) who retired from service on attaining the age of superannuation on 31.07.2009) and 4 others, for causing misplacement of original documents i.e., deposition of PW.1, deposition of RW.1 and petition filed under Section 170 of M.V. Act in MVOP.No.323/2005 on the file of Mahila Court, Vijayawada for furnishing certified copies in CA.No.15256/2007 of II Additional District Court, Vijayawada. The enquiry was ordered while the individual was in service and other delinquents are still in service. During the course of enquiry, another employee by name Sri A. Ramakoteswara Rao, Bench Clerk, working in Mahila Court, Vijayawada was also impleaded as delinquent as per the recommendation of the Inquiry Officer. Charges were held proved in the enquiry against the charged officers 1-3 and not proved against 4 & 5. The Register (Vig) has requested to pass final orders in respect of Charged Officer-1 i.e., Sri B. Rajendra Prasad, formerly Record Assistant, II Additional District Court, Vijayawada.

Contd..2,

2. And whereas, the Government have taken a provisional decision to impose 20% cut in the pension of the delinquent officer for 2 years and accordingly a show cause notice has been issued to the Charged Officer, vide Memo 2nd read above.

3. And whereas, the Delinquent Officer in his reply to the show cause notice vide representation 3rd read above, requested the Government to exonerate from the charge framed against him.

4. And whereas, the Secretary APPSC, who was consulted in the matter, has stated that since a joint inquiry was conducted against Sri B. Rajendra Prasad and four other officials commission whishes to be informed about the action taken against the other charged officers as it is felt that disciplinary action must be concluded simultaneously for a fair and judicious view and also requested to indicate the duration of the punishment proposed against the charged officer, vide letter 4th read above.

5. And whereas, the District Judge, Krishna, Machilipatnam, in reply to the Govt. letter 6th read above, has informed that considering the material on record and the representations submitted by the charged employees Smt. K.Padmavathi, Examiner and Sri Abdul Rakeeb, Jr. Asst. in D.E.No. 13/2009 punishment of Censure was imposed against them, vide his letter 7th read above.

6. And whereas, while the issue is under examination keeping in view the opinion of A.P.P.S.C, and the report of the District Judge, considering the fact that disciplinary action must be concluded simultaneously for a fair and judicious view, the District Judge, Krishna, Machilipatnam, in his letter 8th read above, has reported that the wife of the delinquent, has represented that her husband i.e., Sri B. Rajendra Prasad (Retd) expired on 06.09.2013 due to heart attack and while furnishing Death Certificate of her husband, she has requested to pass final orders in respect of the pending disciplinary action against her late Husband and to release terminal benefits due to her husband. She has again requested for necessary orders, vide representation 11th read above.

7. Government, after careful examination of the entire matter with reference to Rule 9(7)(a) of the A.P. Revised Pension Rules, 1980, hereby abate the disciplinary action against Late Sri B. Rajendra Prasad, formerly Record Assistant, II Additional District Court, Vijayawada later worked as Record Assistant in the court of II Metropolitan Magistrate for Railways, Vijayawada (Retd) as he expired on 06.09.2013 before disciplinary proceedings are concluded.

8. The Registrar (Vigilance), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, is requested to take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.S.S.V. DURGA PRASAD
SECRETARY TO GOVERNMENT

To
The Registrar(Vigilance), High Court of Judicature at Hyderabad
for the State of Telangana and the State of Andhra Pradesh.
The individual concerned (through the Registrar (Vigilance),
High Court of Judicature at Hyderabad)
Copy to:
The Prl. Secretary, Andhra Pradesh Public Service Commission, Hyderabad with reference to the letters 5th, 9th and 10th read above (for information.)
The Accountant General, Andhra Pradesh, Hyderabad.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER